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UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
North Central Division

1940 AGRICULTURAL CONSERVATION PROGRAM  
ADAIR COUNTY, IOWA

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The fundamental purposes of the Adair County Agricultural Conservation Program for 1940 are to operate as part of the 1940 National Agricultural Conservation Program: (1) to conserve and improve the soil resources of the Nation; (2) to stabilize and maintain adequate food supplies for consumers; and (3) to help farmers secure their fair share of the national income.

The program provides for payments to farmers to help them pay at least part of the cost involved in carrying out these purposes by diverting acreage from soil-depleting crops and uses to other uses and in carrying out approved soil-building practices.

The program is authorized by Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended. The provisions of the program are subject to such laws affecting the program as Congress may enact and are dependent upon the appropriation of funds by Congress. The amounts of the payments will be within the limits determined by such appropriation, the distribution of the funds according to the Act, as amended, the final estimate of payments which would be made in Adair County under the 1940 National Agricultural Conservation Program, and the extent of participation in the program. The rates of payment and deduction for any commodity or other item may be increased or decreased as an adjustment for participation and the funds available.

Applicability - The provisions of the 1940 Adair County Program contained in this bulletin, except Section 9, are applicable only to Adair County, Iowa, and do not apply to land owned by the United States and administered under the Taylor Grazing Act or by the Forest Service of the United States Department of Agriculture, or other lands in which the beneficial ownership is in the United States.

For all purposes relating to the 1940 Program, farming operations and practices carried out during the program year, October 1, 1939, to September 30, 1940, will be deemed to have been carried out in 1940, but any acreage of land seeded in the fall of 1940 to a small grain crop will not for that reason be regarded as having been devoted to that crop in 1940.

#### SECTION 1. DEFINITIONS

(1) NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

(2) STATE COMMITTEE means the group of persons designated within any State to assist in the administration of the agricultural conservation programs in such State.



(3) COUNTY COMMITTEE means the group of persons elected within any county to assist in the administration of the agricultural conservation program.

(4) COMMUNITY COMMITTEE means the group of persons elected within any township to assist in the administration of the agricultural conservation programs in the township.

(5) LANDLORD means a person who owns land and operates it or rents it to another person.

(6) TENANT means a person who rents land from another person (for cash, a fixed commodity payment, or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the crops produced on that land.

(7) PERSON means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State or political subdivision of a State or any agency thereof.

(8) FARM means all adjacent or nearby farm land under the same ownership, whether operated by one person or field-rented in whole or in part to one or more persons, and constituting a unit with respect to the rotation of crops.

If the operator and all the owners entitled to share in the crops request and agree, a farm may include any adjacent or nearby farm land if the county committee determines that:

- (a) The entire area of land is operated by the one person as part of one unit in the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land;
- (b) The yields and productivity of the differently owned tracts do not vary substantially;
- (c) The combination is not being made for the purpose of increasing acreage allotments or primarily for the purpose of effecting performance; and
- (d) The separately owned tracts constitute a farming unit for the operator and will be regarded in the community as constituting one farm in 1940.



A tract of land will not be considered as a farm unless (1) it contains at least three acres of farm land, or (2) the gross income normally obtained each year from the production of crops on the land is at least \$100.

A farm is regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling on the farm, it is regarded as located in the county in which the major portion of the farm is located.

(9) CROPLAND means farm land which in 1939 was tilled or was in regular rotation excluding any land which constitutes, or will constitute, if such tillage is continued, a wind erosion hazard to the community and excluding also any land in commercial orchards and perennial vegetables.

Land that was not devoted between January 1, 1935, and January 1, 1940, to the production of intertilled crops, small grain crops, or conserving crops seeded in regular rotation, should be considered noncropland, unless such land is suitable for the production of soil-depleting crops without clearing, draining, or irrigating; is definitely equal to or superior to the land in the community used for the production of soil-depleting crops, with respect to productivity and adaptability to the production of such crops; if tilled will not become a serious wind or water erosion hazard; and will in the normal course of the crop rotation on the farm be used for the production of soil-depleting crops.

Land that was devoted between January 1, 1935, and January 1, 1940, to the production of crops should be considered noncropland if it is no longer cropped or suitable to the production of soil-depleting crops, by reason of severe erosion, lack of clearing or draining, and is inferior to the land in the farm used for the production of soil-depleting crops, with respect to the productivity and adaptability to the production of such crops.

Land devoted to forest trees on January 1, 1940, will be considered as noncropland unless it has been devoted since January 1, 1935, to the production of intertilled crops, small grain crops, or conserving crops.

(10) NONCROP OPEN PASTURE LAND means pasture land (other than rotation pasture land) on which the predominant growth is forage suitable for grazing and on which the number or grouping of any trees or shrubs is such that the land could not fairly be considered as woodland.



(11) **GRAZING CAPACITY OF NONCROP OPEN PASTURE LAND** means the number of animal units which such land will sustain on a 12-month basis over a period of years without decreasing the stand of grass or other grazing vegetation and without injury to the forage, tree growth, or watershed.

(12) **ANIMAL UNIT** means the unit of measurement used to denote grazing capacity. An animal unit as used herein shall be equal to one cow, one horse, five sheep, five goats, two calves, two colts, or the equivalent.

(13) **SPECIAL ALLOTMENT** means a corn or wheat allotment.

(14) **COMMERCIAL ORCHARDS AND PERENNIAL VEGETABLES** means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, bush fruits, strawberries, or perennial vegetables, on the farm on January 1, 1940, (excluding non-bearing orchards and vineyards), from which the major portion of the production is normally sold.

## SECTION 2. GENERAL AND TOTAL SOIL-DEPLETING

(1) **GENERAL CROPS** means all crops and land uses classified as soil-depleting, except the crops for which a separate payment or deduction is computed for the farm. Corn on a non-corn-allotment farm and wheat on a non-wheat-allotment farm are considered as corn and wheat, respectively, for the purpose of dividing any net deductions for such crops and are also considered as general crops for the purpose of dividing the net payment or net deduction for general crops.

(2) **NON-GENERAL-ALLOTMENT FARM** means a farm:

- (a) for which no total soil-depleting allotment or a zero allotment is determined, or
- (b) for which a total soil-depleting allotment of 20 acres or less is determined and the persons having an interest in the general soil-depleting crops on the farm elect at the time the Farm Plan for Participation in the 1940 Program, NCR-403, is completed, to have the farm considered as a non-general allotment farm.

(3) **National Goal.** The 1940 national goal for total soil-depleting crops is 270,000,000 to 285,000,000 acres.



(4) County Allotments. County allotments of the total soil-depleting crops are determined by distributing the State allotment of total soil-depleting crops among the counties in the State on the basis of the total soil-depleting allotments established for the 1939 program. Due allowance is made for trends in acreage of soil-depleting crops, changes in crop classifications, and the relationship of the special allotments for 1939 to the special allotments for 1940.

(5) Farm Allotments. Total soil-depleting allotments will be determined by the county committee with the assistance of the community committees as provided in instructions issued by the Agricultural Adjustment Administration for all farms in the county. The allotments will be determined on the basis of good soil management, tillable acreage on the farm, type of soil, topography, degree of erosion and the acreage of all soil-depleting crops, customarily grown on the farm, taking into consideration special allotments determined for the farm. The total soil-depleting allotment for any farm will compare with the allotments determined for other farms in the same community which are similar in these respects. The total soil-depleting allotments for the farms in the county will not exceed the Adair County total soil-depleting allotment of 146,148 acres.

(6) Productivity Indexes. A county productivity index will be established for each county. It will vary among the counties as the productivity of the cropland devoted to the production of general crops in the county varies with the productivity of all cropland devoted to the production of such crops in the United States.

A productivity index for each farm will be determined on the basis of the normal yield per acre for the farm of the major soil-depleting crop in the county as compared with the normal yield per acre for such crop in the county. Where the yield of the major soil-depleting crop in the county does not accurately reflect the productivity of a farm, the yield of a crop that reflects the productivity of the farm may be used. The productivity index for such farm will be adjusted if necessary to be fair and equitable as compared with the productivity indexes for other farms in the county having similar soils and productive capacity, and as contrasted with other farms in the county having different soils and productive capacity.

The weighted average of the productivity indexes for all farms in the county will not exceed the county productivity index of 129 percent.

(7) Payment:

(a) General Allotment Farms. \$1.00 per acre adjusted for the productivity of the farm for each



acre in the total soil-depleting allotment in excess of the special allotments for which payments are computed for the farm.

(b) Non-General-Allotment Farms. The payment for general crops is regarded as a payment for soil-building practices.

(8) Deduction:

(a) General Allotment Farms. \$7.25 per acre adjusted for the productivity of the farm, for each acre classified as soil-depleting in excess of the sum of (1) the total soil-depleting allotment, and (2) acreages for which special crop deductions are computed.

(b) Non-General-Allotment Farms. \$7.25 per acre, adjusted for the productivity of the farm, for each acre classified as soil-depleting in excess of the sum of (1) 20 acres, and (2) the acreages for which special crop deductions are computed.

SECTION 3. WHEAT

(1) NON-WHEAT-ALLOTMENT FARM means a farm:

- (a) for which no wheat allotment or a zero wheat allotment is determined, or
- (b) for which a wheat allotment is determined and the persons having an interest in the wheat planted on the farm elect, at the time the Wheat Plan for Participation in the 1940 Program, on a form prescribed by the Agricultural Adjustment Administration, is completed, to have the farm considered as a non-wheat-allotment farm.

(2) ACREAGE PLANTED TO WHEAT means:

- (a) The acreage seeded to wheat alone;
- (b) The acreage of volunteer wheat which remains on the land after May 1, 1940;
- (c) One-half of the acreage seeded to a mixture containing by weight 25 percent or more of wheat and 25 percent or more of flax; and
- (d) Any other acreage seeded to a mixture containing wheat, except;



- (i) Any mixture containing more than 75 percent by weight of flax; and
- (ii) Any acreage devoted to a wheat mixture. However, an acreage will not be considered as having been devoted to a wheat mixture if the crops other than wheat fail to reach maturity and the wheat is permitted to reach maturity.

(3) WHEAT MIXTURE means a mixture of wheat and other small grains, excluding vetch, containing when seeded less than 50 percent by weight of wheat or less than 75 percent by weight of wheat when seeded with not less than 25 percent by weight of rye or barley, which are seeded in the same operation and may reasonably be expected to produce a crop containing such proportions of plants other than wheat that the crop could not be harvested as wheat for grain or seed.

(4) National Goal. The 1940 national goal for wheat is 60 million acres to 65 million acres. The 1940 national wheat allotment is 62 million acres.

(5) State Allotments. The State wheat allotments for States in the North Central Region are;

| <u>State</u>   | <u>Acres</u> | <u>State</u>      | <u>Acres</u> |
|----------------|--------------|-------------------|--------------|
| Illinois.....  | 1,938,259    | Missouri.....     | 1,963,713    |
| Indiana.....   | 1,601,447    | Nebraska.....     | 3,560,400    |
| Iowa.....      | 456,046      | Ohio.....         | 1,838,127    |
| Michigan.....  | 739,792      | South Dakota..... | 3,245,869    |
| Minnesota..... | 1,663,684    | Wisconsin.....    | 99,128       |

(6) County Allotments. County wheat allotments are determined by distributing the State allotment among the counties in the State pro rata on the basis of the acreage seeded for wheat production, plus the acreage diverted under the agricultural adjustment and conservation programs in such counties during the 10 years 1929 to 1938, inclusive, with adjustments for abnormal weather conditions and trends in acreage.

(7) Farm Allotments. Wheat allotments are determined by the county committee with the assistance of the community committees for farms on which wheat has been planted for harvest in one or more of the years 1937, 1938, and 1939. The allotments are determined on the basis of tillable acreage, crop rotation practices as reflected in the usual acreage of wheat on the farm, type of soil, and topography. Not more than 3 percent of the county wheat allotment is apportioned to farms in the county on which wheat is to be planted for harvest in



1940 but on which wheat was not planted for harvest in any one of the three years 1937, 1938, and 1939, on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The wheat allotment for any farm will compare with the allotments determined for other farms in the same community, which are similar in these respects. The wheat allotments for the farms in Adair county will not exceed the county wheat allotment of 4514 acres.

(8) Normal Yields. The county committee with the assistance of the community committees will determine a normal yield for each farm for which a wheat acreage allotment is determined or a deduction computed.

(a) Where reliable records of the actual average yield per acre of wheat for the ten years 1929 to 1938 are presented by the farmer or are available to the committee, the normal yield for the farm will be the average of such yields adjusted for trends and abnormal weather conditions.

(b) If for any year of the ten-year period reliable records of the actual yield are not available or there was no actual yield because wheat was not planted on the farm, the county committee will determine the normal yield for the farm. This will be based upon all available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land. The yields so determined will be adjusted so that the weighted average of the normal yields for all farms in the county will not exceed the Adair County average yield of 15.2 bushels per acre.

(9) Payment: 9 cents per bushel of the normal yield per acre of wheat for the farm for each acre in the wheat allotment. On a non-wheat-allotment farm, no payment will be computed at the wheat rate for the wheat allotment determined for the farm, but payment will be computed on the wheat allotment acreage at the rate for general crops as provided in Section 2.

(10) Deduction:

(a) Wheat Allotment Farms. 50 cents per bushel of the normal yield for the farm for each acre planted to wheat in excess of the wheat allotment.

(b) Non-Wheat-Allotment Farms. 50 cents per bushel of the normal yield for the farm for each acre of wheat classified as soil-depleting in excess of the allotment or ten acres, whichever is larger.



#### SECTION 4. CORN

(1) COMMERCIAL CORN AREA means counties which have produced an average of at least 450 bushels of corn per farm and 4 bushels of corn per acre of farm land during the past 10 years. It also includes bordering counties containing townships producing and likely to produce an average of 450 bushels of corn per farm and 4 bushels of corn per acre of farm land.

(2) NON-CORN-ALLOTMENT FARM means a farm in the commercial corn area:

- (a) for which no corn allotment or a zero corn allotment is determined, or
- (b) for which a corn allotment of 10 acres or less is determined and the persons having an interest in the corn planted on the farm elect at the time the Farm Plan for Participation in the 1940 Program, on a form approved by the Agricultural Adjustment Administration, is completed, to have the farm considered as a non-corn-allotment farm.

(3) ACREAGE PLANTED TO CORN means the acreage of land seeded to field corn, sweet corn, or popcorn, except: (a) Any acreage of sweet corn contracted to be sold for canning or freezing; (b) any acreage of sweet corn sold for canning, roasting ears, or freezing; (c) any acreage of sweet corn to be sold or used as seed; (d) any acreage of popcorn sold or to be used as seed; (e) any acreage of sown corn used as a cover crop or green manure crop; and (f) any acreage of sweet corn or popcorn grown in home gardens for use on the farm.

(4) National Goal. The 1940 national goal for corn is 88,000,000 to 90,000,000 acres.

(5) Commercial Area Allotment. The 1940 corn allotment for the commercial corn area is 36,638,000 acres.

(6) State Allotments. The State corn allotments (for commercial corn counties, including the States of Kansas and Kentucky) are:

| <u>State</u>   | <u>Acres</u> | <u>State</u>      | <u>Acres</u> |
|----------------|--------------|-------------------|--------------|
| Illinois.....  | 6,513,876    | Nebraska.....     | 5,905,316    |
| Indiana.....   | 3,225,400    | Ohio.....         | 2,336,291    |
| Iowa.....      | 8,193,223    | South Dakota..... | 1,393,862    |
| Michigan.....  | 392,095      | Wisconsin.....    | 667,577      |
| Minnesota..... | 3,177,524    | Kansas.....       | 1,573,277    |
| Missouri.....  | 2,876,339    | Kentucky.....     | 323,220      |



(7) County Allotments. County corn allotments are determined for the counties in the commercial corn area. The corn allotment for the commercial corn area in the State is distributed among the counties in the State in the commercial corn area. Distribution is made pro rata on the basis of the acreage planted to corn, plus the acreage diverted from corn under the agricultural adjustment and conservation programs, during the 10 years 1929 to 1938, inclusive, with adjustments for abnormal weather conditions and trends in acreage.

(8) Farm Allotments. Corn allotments will be determined by the county committee with the assistance of the community committees as provided in instructions issued by the Agricultural Adjustment Administration for farms in the commercial corn area. The allotments will be determined on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The allotment for any farm will compare with the allotments for other farms in the same community which are similar in these respects. The corn allotments for the farms in Adair County will not exceed the county corn allotment of 85,834 acres.

(9) Normal Yields. The county committee with the assistance of the community committees will determine a normal yield for each farm for which a corn allotment is determined or a deduction computed.

- (a) Where reliable records of the actual average yield per acre of corn for the ten years 1930 to 1939 are presented by the farmer or are available to the committee, the normal yield for the farm will be the average of such yields adjusted for trends and abnormal weather conditions.
- (b) If for any year of the ten-year period, reliable records of the actual yield are not available or there was no actual yield because corn was not planted on the farm, the county committee will determine the normal yield for the farm. This will be based upon all available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land. The yields so determined will be adjusted so that the weighted average of the normal yields for all farms in the county will not exceed the county average yield of 38.2 bushels per acre.

(10) Payment: 10 cents per bushel of the normal yield per acre of corn for the farm for each acre in the corn allotment. On a non-corn-allotment farm no payment will be computed at the corn rate for the corn allotment determined for the farm, but

payment will be computed on the corn allotment acreage at the rate for general crops as provided in Section 2.

(11) Deduction:

(a) Corn Allotment Farms. 50 cents per bushel of the normal yield for the farm for each acre planted to corn in excess of the corn allotment.

(b) Non-Corn-Allotment Farms. 50 cents per bushel of the normal yield for the farm for each acre planted to corn in excess of 10 acres.

SECTION 5. SOIL-BUILDING GOALS, PAYMENTS, AND  
PRACTICES

(1) National Goal. The national goal is the conservation of the cropland not required in 1940 for the growing of soil-depleting crops, the restoration, insofar as practicable, of a permanent vegetative cover on land unsuited to the continued production of cultivated crops, and the carrying out of soil-building practices that will conserve and improve soil fertility and prevent wind and water erosion.

(2) Farm Goals. The soil-building goal for a farm will be one unit of soil-building practices for each \$1.50 of the soil-building payments computed for the farm for non-crop open pasture land, commercial orchards and perennial vegetables, and the cropland in excess of the total soil-depleting allotment. If the farm is a non-general-allotment farm, the soil-building goal also includes one unit for each \$1.50 of the payment computed for the farm for general crops. The soil-building goal equals one unit for each \$1.50 computed for the farm under paragraph (4).

Insofar as practicable, the county committee should determine for individual farms practices to be followed in meeting the goal which are not routine practices on the farm but which are needed on the farm in order to conserve and improve soil fertility and prevent wind and water erosion.

(3) Establishment of Grazing Capacities. In determining grazing capacity, consideration will be given to the following: (a) composition, palatability, and density of forage growth; (b) climatic changes; (c) distribution and type of water facilities; (d) topography and cultural changes; (e) extent of rodents and poisonous plants; and (f) number and classes of livestock previously carried. The average of the individual grazing capacities established for all farms in Adair county will not exceed the county average grazing capacity limit of 4.6 acres per animal unit established by the Agricultural Adjustment Administration on the basis of available statistics.



(4) Payments. The payments determined for soil-building practices will be the sum of the following, but if the sum of the maximum payments for the farm, exclusive of payment under sub-paragraphs (e) and (f), hereof, is less than \$20, the amount determined under this paragraph (4) will be increased by the amount of the difference.

- (a) 55 cents per acre of cropland in the farm in excess of the total soil-depleting allotment for the farm.
- (b) \$2.00 per acre of commercial orchards and perennial vegetables on the farm January 1, 1940.
- (c) 24 cents per acre of noncrop open pasture land in the farm.
- (d) Non-General-Allotment Farms. \$1.00 per acre, adjusted for the productivity of the farm, for each acre in the total soil-depleting acreage allotment for the farm in excess of the sum of (a) the special crop allotment for which payments are computed for the farm.
- (e) \$30.00 or \$1.50 times the number of soil-building practice units earned by planting forest trees, whichever is smaller.
- (f) The smaller of \$25.00 or \$1.50 times the number of soil-building practice units earned by growing on the contour alternate strips of intertilled crops with sown, close-drilled, or sod crops, or contour farming or intertilled crops.

(5) Deductions. \$1.50 for each unit by which the soil-building goal is not reached.

(6) Soil-Building Practices. The soil-building practices in the following schedule will count toward the achievement of the soil-building goal if performed in workman-like manner and in accordance with good farming practice for the locality.

Practices carried out with labor, seed, trees, and materials furnished by any State or Federal agency other than the A.A.A. and representing half or more of the total cost, will not count toward achievement of the soil-building goal. If the portion of the labor, seed, trees, or other materials furnished by a State or Federal agency other than the A.A.A. represents less than half of the total cost of carrying out a practice, one-half of the practice shall count toward achievement of the soil-building goal. Labor, seed, trees, and

materials furnished to a State, a political subdivision of a State, or an agency thereof, by an agency of the same State will not be deemed to have been furnished by "any State.... agency." No credit for meeting the soil-building goal will be given for the planting and protection of forest trees planted under a cooperative agreement entered into with the Forest Service in connection with the Prairie States Forestry Project.

Trees purchased from a Clark-McNary Cooperative State Nursery will not be deemed to be paid for in whole or in part by a State or Federal Agency.

#### SCHEDULE OF SOIL-BUILDING PRACTICES

##### Application of Materials.

(1) Application of the following fertilizers to, or in connection with the seeding of, perennial or biennial legumes, perennial grasses, winter legumes, lespedeza, permanent pasture, or in the case of 16 percent superphosphate to or in connection with green manure crops in orchards, will be counted toward achievement of the soil-building goal. If these fertilizers are applied to any of the above crops seeded or grown in connection with flax or any crop classified as soil-depleting, no part of the material applied will be counted.

(a) 300 pounds of superphosphate containing 16 percent by weight of available phosphoric acid or its equivalent -1 unit

(b) 150 pounds of muriate of potash containing 50 percent by weight of water soluble potash or its equivalent -1 unit

(c) 500 pounds of basic slag or rock ) or colloidal) phosphate -1 unit

(2) Application of 300 pounds of gypsum containing 18 percent sulphur (or its sulphur equivalent). -1 unit

(3) Application in commercial orchards and on perennial vegetable land of 2 tons, air dry weight, per acre of straw or equivalent mulching materials, excluding barnyard, stockyard, and stable manure. -1 unit

(4) Application of 2,000 pounds of ground limestone (or its equivalent). -1 unit



The ground limestone should not be coarser than that obtained by grinding calcareous or dolomitic limestone so that not less than 90 percent with all finer particles obtained in the grinding process included, will pass through an 8-mesh sieve. It must contain calcium and magnesium carbonates equivalent to not less than 80 percent of calcium carbonate. The following quantities of other calcareous substances are equivalent to 1 ton of ground limestone: 1,400 pounds of hydrated lime; 2 cubic yards of marl, sugar beet refuse lime, calcium carbide refuse lime, water softening process refuse lime, paper mill refuse lime, or commercial wood ashes; 1/2 ton of commercial burnt lime; 4 cubic yards of calcareous clay; 1 ton of burnt lime waste; 1 ton of agricultural limestone meal; 2,750 pounds of limestone screenings; 2,750 pounds blast furnace slag ground sufficiently so that all particles will pass through a 6-mesh sieve; 3 tons of tailings from zinc mines.

#### Seedings

- |  |                         |
|--|-------------------------|
| (5) Seeding alfalfa  | - 1 unit<br>per acre.   |
| (6) Seeding of permanent meadows or pastures of a full seeding of brome grass, or of a mixture containing not less than one-half a full seeding of brome grass with alfalfa  | - 2 units<br>per acre.  |
| (7) Seeding biennial legumes, perennial legumes, perennial grasses (other than timothy or redtop) or mixtures (other than a mixture consisting solely of timothy and redtop) containing perennial grasses, perennial legumes, or biennial legumes (except any of such seedings qualifying at a higher rate of credit). | - 1/2 unit<br>per acre. |
| (8) Seeding annual lespedeza, annual rye grass, annual sweet clover or mixtures of such varieties.   | -1/2 unit per acre      |
| (9) Seeding winter legumes   | -1 unit per acre        |
| (10) Seeding timothy or redtop or a mixture consisting solely of timothy and redtop.   | -1/4 unit per acre      |

In order to count toward the achievement of the soil-building goal, all seedings of red clover and any mixtures containing red clover must be made with adapted red clover seed, and all seedings of alfalfa and any mixtures containing alfalfa must be made with adapted



alfalfa seed, the origin of which must be certified. Red clover and alfalfa seed grown in Canada and in the following States will be regarded as adapted: Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Red clover and alfalfa seed grown in the following counties of the following States also will be regarded as adapted: The counties of Baker, Crook, Deschutes, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, and Wheeler in the State of Oregon: the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman in the State of Washington. Red clover and alfalfa seed grown in counties in Oregon and Washington other than those enumerated in this paragraph, and alfalfa grown in Oklahoma will be regarded as adapted if certification is made by the State Crop Improvement Association of the State where the seed was produced that the seed was produced in the State and was produced from parent seed of Ohio red clover or Tennessee anthracnose-resistant red clover or parent seed of hardy adapted alfalfa, and if the certification tag attached to the seed is filed with the county committee in cases where quantities of 100 pounds or more are purchased.

#### Pasture Improvement

(11) Reseeding depleted pastures with good seed of adapted pasture grasses or legumes - 10 pounds of seed except seedings made consisting solely of lespedeza, timothy or redtop or mixtures of such crops - 20 pounds of seed.

-1 unit

(12) Natural reseeding of fenced noncrop open pasture, normally grazed during the growing season, by nongrazing until after seed matures on an acreage equal to two-thirds of the number of acres of such pasture required to carry one animal unit for a 12-month period.

-1 unit

(13) Construction of reservoirs and dams - 10 cubic yards of material moved in making the fill or excavation or 7 cubic feet of concrete or rubble masonry.

-1 unit.



Green Manure Crops and Go-Down Crops

(14) Green manure crops of annual legumes (including soybeans but excluding lespedeza) or 1939 fall seedings of oats, barley, rye, wheat mixtures, wheat on non-wheat allotment farms and mixtures of any of these crops. A good growth is obtained and the crop is not pastured or harvested as grain, seed, hay, or forage, or otherwise taken from the land. It is incorporated into the soil by plowing or disking before grain formation or October 1, 1940, whichever is earlier; and where the land is subject to erosion it is followed by a winter cover crop. Credit will not be given for annual legumes in this practice if credit is given for seeding such crops as a practice in 1940.

-1 unit  
per acre.

(15) Green manure crops of oats, barley, rye, Sudan grass, millet, annual rye grass, buckwheat, sweet sorghums, wheat mixtures, wheat on non-wheat allotment farms and mixtures of any of these crops. A good vegetative growth is obtained and the crop is not pastured or harvested as grain, seed, hay, or forage, or otherwise taken from the land. It is incorporated into the soil by plowing or disking before grain formation or October 1, 1940, whichever is earlier; and where the land is subject to erosion, it is followed by a winter cover crop. Credit will not be given for annual rye grass in this practice if credit is given for seeding the crop as a practice in 1940.

-1/2 unit  
per acre.

(16) In commercial orchards, green manure crops of biennial legumes and green manure crops or go-down crops of annual legumes (including soybeans but excluding lespedeza as green manure crop and excluding soybeans and lespedeza as go-down crops), oats, barley, rye, Sudan grass, millet, annual rye grass, buckwheat, wheat mixtures, wheat on non-wheat allotment farms, and mixtures of any of these crops. If used as a green manure crop, a good vegetative growth is obtained and the crop is not pastured or harvested as grain, seed, hay, or forage, or otherwise taken from the land, and it is incorporated into the soil by plowing or disking before grain formation or October 1, 1940, whichever is earlier; and where the land is subject to erosion, it is followed by a winter cover crop. If used as a go-down crop, a good vegetative growth which is adequate to protect the soil from wind and water erosion and suitable to provide food and cover for wildlife, must be on the land on September 30, 1940, and such crop must not be pastured or harvested as grain, seed, hay, or forage, or otherwise taken from the land thereafter. Credit will not be given for biennial legumes, annual legumes, or annual rye grass in this practice if credit is given for seeding such crops as a practice in 1940.

-1 unit  
per acre

(17) Go-down crops of annual legumes (excluding soybeans and lespedeza). A good vegetative growth adequate to protect the soil from wind and water erosion and suitable to provide food and cover for wildlife, must be on the land on September 30, 1940. The crop must not be pastured or harvested as grain, seed, forage, hay, or otherwise taken from the land thereafter. Credit will not be given for annual legumes in this practice if credit is given for seeding such crops as a practice in 1940.

-1 unit  
per acre

(18) Go-down crops of Sudan grass, millet, annual rye grass, buckwheat, sweet sorghums, and mixtures of any of these crops. A good vegetative growth adequate to protect the soil from wind and water erosion and suitable to provide food and cover for wildlife, must be on the land on September 30, 1940, and such crop must not be pastured or harvested as grain, seed, hay, forage, or otherwise taken from the land thereafter. Credit will not be given for annual rye grass in this practice if credit is given for seeding the crop as a practice in 1940.

-1/2 unit per acre

#### Erosion Control

(19) Construction of 200 linear feet of standard terrace for which proper outlets are provided.

-1 unit

(20) Construction of contour furrows on noncrop open pasture land (except noncrop open pasture land that is sufficiently sandy and porous to absorb normal precipitation). Credit will be given only if: (a) the area contoured has an average slope not in excess of 8 percent; (b) the contour furrows are dammed sufficiently to prevent gullyng; (c) the contour furrows are constructed on the contour level and not less than 8 inches in width and 4 inches in depth; (d) the width between the furrows on any land with an average slope of 3 percent or less does not exceed 25 feet; and (e) the width between the furrows on any land with an average slope of more than 3 percent does not exceed 25 feet less 3 feet for each percent by which the slope is greater than 3 percent. Each furrow will be considered to occupy an area not in excess of 1/2 rod in width.

-1/4 unit per acre

(21)

- a. Growing on the contour alternate strips of intertilled crops with sown, close-drilled or sod crops, provided: (1) guide lines are established for each strip according to



specifications (1), (2), (3), and (4) under practice No. 22(a); (2) the strips are approximately the same width; (3) the inter-tilled, sown, or close-drilled strips do not exceed an average of 225 feet in width; (4) crop stubble is left standing until October 1, 1940, or a good stand of winter cover crop is on the land on September 30, 1940. The winter cover crop requirement shall apply to all land planted to soybeans; (5) the practice was first followed on the field in 1940.

-2 units per acre

- b. All requirements of practice 21(a) are fulfilled except that the practice was first followed on the field prior to 1940.

-1/2 unit per acre

(22)

- a. Contour farming of intertilled crops, provided:
- (1) The deviation of the guide line from the true contour does not exceed at any point a percentage equal to half of the percentage slope of the land, but in any case the maximum deviation does not exceed three (3) percent;
  - (2) No deviation of the guide line from the true contour exceeds two (2) percent for a greater continuous distance than 100 feet;
  - (3) All deviation from the true contour drains toward natural or established drainageways of an average width of not less than 10 feet. The channel of the waterway must be sufficiently wide at all points to carry all water diverted into it under conditions of heaviest probable rainfall. Drainageways must be seeded to adapted grass or grass-legume mixtures before June 1, 1940, unless permanent stands are already established;
  - (4) A permanent stake or marker is placed for each guide line established;
  - (5) A guide line established not more than 100 feet below the top of the slope and correction or additional guide lines are established at intervals not to exceed 175 feet;
  - (6) The practice was first followed on the field in 1940.

-1 unit per acre

- b. Contour farming of intertilled crops, provided specifications (1), (2), (3), (4), and (5) of practice 22(a) are met, except that the practice was first followed on the field prior to 1940.

-1/4 unit per acre

(23) Contour seeding of small grain crops provided:

- (a) The deviation of the drill rows from the true contour does not exceed, at any point, a percentage equal to one-half of the

percentage slope of the land, but in any case the maximum deviation shall not exceed 3 percent; (b) no deviation of the rows from the true contour is to be of a greater continuous distance than 60 feet, and (c) no credit is to be allowed on land which has a slope less than 2 percent.

-1/10 unit per acre

(24) Contour cultivation with a shallow furrowing or shovel-type implement following a small-grain crop harvested in 1940, furrows being not more than 20 inches apart.

-1/10 unit per acre

### Forestry

(25)

- a. Planting 650 forest trees per acre (including shrubs beneficial to wildlife) in protective plantings or 300 trees per acre for windbreak if the trees are protected and cultivated in accordance with good tree culture and wildlife management practices.
- b. Planting at least 350 forest trees per acre (including shrubs beneficial to wildlife) interplanted with not less than 800 forest tree nuts (including only black walnuts, butternuts, hickory nuts, and acorns) in protective plantings. The forest trees and the forest tree nuts must be evenly distributed and appropriately interplanted on the acreage for which credit is claimed. The forest tree nuts must be of a variety adapted to the area and should be planted in spacings not greater than 8 feet by 8 feet. The area planted should be protected and cultivated in accordance with good tree culture and wildlife management practices.
- c. Planting one acre of adapted forest tree nuts (including only black walnuts, butternuts, hickory nuts, and acorns) in protective plantings, provided; (1) at least 2,000 nuts are planted per acre and are evenly distributed over the area; (2) such plantings are made in accordance with good tree culture and wildlife management practices; and (3) a good stand of at least 650 trees well distributed over the area for which credit is claimed is established by September 30, 1940.

-5 units per acre

(26) Maintaining a good stand of at least 300 trees per acre or a mixture of at least 300 forest trees and shrubs, suitable for wildlife and planted between July 1, 1936, and



July 1, 1940, by cultivating sufficiently to control other vegetation, protection from fire and livestock, and replanting if necessary.

-2 units per acre

(27) Improving a stand of forest trees. This practice may be carried out by cutting weed trees and thinning or pruning other trees, so as to leave at least 100 potential timber trees of desirable species per acre with a minimum diameter of 6 inches, or at least 200 potential timber trees of desirable species per acre with a minimum diameter of 2 inches, well distributed over each acre of woodland provided: (a) The county committee approves the area on which such practice is to be carried out; (b) such area is not grazed and is adequately protected against fire; and (c) approved wildlife management practices are carried out.

Credit will not be given for this practice on an acreage planted to trees since July 1, 1936, nor on an acreage of old timber stands on which credit has been given for improving a stand of forest trees under an agricultural conservation program during any of the four years prior to 1940.

-2 units per acre

(28) Restoration of fenced farm woodlots normally overgrazed by nongrazing until September 30, 1940, in order to encourage the growth of young seedlings and to provide nesting places and food and cover for wildlife.

-1/10 unit per acre

#### Other Practices

(29) Control of seriously infested plots of perennial noxious weeds in organized weed control districts by use of approved tillage methods or sodium chlorate applied in the following manner:

-5 units per acre

The area to be treated must be mowed after weeds reach the blossom stage but before seed matures, and the foliage removed from the acreage before application of the chemical. Not less than 3 pounds of sodium chlorate is to be spread evenly on each square rod for which credit is granted, and treatment is to be made at least 10 feet beyond the infested area. The area treated is to be left idle and uncultivated until September 30, 1940. Sales receipts for all sodium chlorate used must be filed by the farmer with the county committee. Four hundred and eighty pounds of sodium chlorate used in the above manner will be equivalent to one acre of treatment.

In organized weed control districts in States that have laws which provide for a different method of application of sodium chlorate from that provided for in the above paragraph,

the customary practice used in the organized district for application of sodium chlorate will be deemed to qualify for payment under this practice. In all cases, the practice must be completed by September 30, 1940, and sales receipts for sodium chlorate used must be filed by the farmer with the county committee. Four hundred and eighty pounds of sodium chlorate used in a manner described by the organized district will be equivalent to one acre of treatment.

(30) Deep sub-soiling cropland or land in orchards (the acreage of this practice shall be computed on the basis of the area so handled, each furrow being considered to occupy an area not in excess of one-half rod in width).

-1/4 unit per acre

(31) Establishing 300 linear feet of permanent sod waterway in a field which is devoted to an intertilled crop in 1940. No waterway will be approved with an average width of less than 10 feet. The channel of the waterway must be sufficiently wide at all points to carry all water diverted into it under conditions of heaviest probable rainfall. Seedings made in the establishing of permanent sod waterways must contain perennial grasses in areas where it is practicable to obtain a good stand of such grasses. A good vegetative growth must be obtained in the waterway channel before September 30, 1940. Credit will not be given for this practice if credit is given for the field under practices 21a, 21b, 22a, or 22b.

-1/2 unit of credit

(32) Constructing dams in waterways or gullies on farm land. No dams will be approved where less than 6 dams are constructed in any one waterway or gully, (stake, wire, sod, brush, rock dams, and similar structures regarded as dams for purposes of this practice). In any event, the type of dam and method of construction will be in accordance with instructions issued by the State committee upon approval by the regional director. All dams must be in effective operation before October 1, 1940.

Construction of 6 dams

-1 unit of credit

#### SECTION 6. SOIL-DEPLETING CROPS AND LAND USES

The acreage of land, exclusive of the acreage of home gardens for use on the farm, devoted during the 1940 crop year to one or more of the following crops or uses will be classified as soil-depleting. Land on which a volunteer crop is harvested will be classified as though the crop had been planted.

(1) Corn planted for any purpose (except sown corn used as a cover crop or green manure crop).

(2) Grain sorghums planted for any purpose.



- (3) Broomcorn planted for any purpose.
- (4) Mangels or cowbeets planted for any purpose.
- (5) Potatoes planted for any purpose.
- (6) Annual truck and vegetable crops planted for any purpose.
- (7) Commercial bulbs and flowers, commercial mustard, cultivated sunflowers, artichokes, mint, or hemp harvested for any purpose.
- (8) Field beans and field peas (other than cow peas) planted for any purpose, except Canadian field peas when not harvested for grain or matured as grain.
- (9) English peas (garden peas) planted for any purpose.
- (10) Soybeans harvested for grain or seed or when seed matures.
- (11) Flax planted for any purpose except when used as a nurse crop for biennial or perennial legumes or perennial grasses which are seeded in a workmanlike manner. Mixtures of flax with wheat or other crops will be classified as soil-depleting in all cases in which the crops other than flax would have been classified as soil-depleting if grown alone.
- (12) Wheat planted (acreage planted to wheat) on a wheat allotment farm.
- (13) Wheat matured as grain on a non-wheat allotment farm. Wheat harvested for hay on a non-wheat allotment farm, except (1) when grown in a mixture containing at least 25 percent by weight of winter legumes, or (2) when cut green for hay and used as a nurse crop for legumes or perennial grasses which are seeded in a workmanlike manner.
- (14) Oats, barley, rye, emmer, speltz, mixtures of these crops, or wheat mixtures matured as grain, except when credit is earned by the use of such crop for soil-building practice (16), Section 5. Oats, barley, rye, emmer, speltz, mixtures of these crops, or wheat mixtures harvested for hay except (1) when grown in mixtures containing at least 25 percent by weight of winter legumes, or (2) when cut green for hay and used as a nurse crop for legumes or perennial grasses which are seeded in a workmanlike manner.

- (15) Buckwheat, Sudan grass, or millet harvested for grain or seed.
- (16) Sweet sorghums, when harvested for any purpose.
- (17) Idle cropland on which the county committee determines that weeds are not controlled sufficiently to prevent the lowering of the land's productivity and from increasing weed growth on adjacent land, or on which the county committee determines that water erosion is not controlled sufficiently to prevent the lowering of the land's productivity.

The acreage of land which is devoted simultaneously in 1940 to two or more of the soil-depleting crops specified in this Section planted in alternate rows or hills will be divided among the crops on the basis of that fractional part of the land devoted to each.

In order for a portion of a field not to be classified as soil-depleting, the portion must be in a solid block contiguous to the side or end of the field and the line between such portion and the remaining portion of the field must be straight, except that such line may be on the contour on fields that are contour-farmed. However, if a soil-depleting crop and a nondepleting crop are grown on an acreage in alternate rows or separate rows, spaced not less than the same distance apart as the rows of the soil-depleting crop are ordinarily spaced, the acreage will be divided between the crops on the basis of the fractional part of the land devoted to each.

#### SECTION 7. DIVISION OF PAYMENTS AND DEDUCTIONS

a. Payments and Deductions in Connection with Acreage Allotments. The net payment or net deduction computed for any farm for general crops or any crop for which a special allotment is determined will be divided among the landlords and tenants in the proportion that they are entitled, as of the time of harvest, to share in the crops in 1940. Any person who receives a portion of a crop as a fixed commodity payment will not be regarded for that reason as receiving a share of the crop.

If any crop for which payment is computed is not grown on the farm in 1940, or the acreage of the crop is substantially reduced by flood, hail, drought, insects, or plant bed diseases, the net payment or net deduction for the crop will be divided among the landlords and tenants, as the county committee determines that such persons would have been entitled to share in the crop if the entire allotment had been planted and harvested in 1940.

In cases where two or more separately owned tracts of land comprise a farm, percentage shares are shown on a form



prescribed by the Agricultural Adjustment Administration, and the form is signed by all persons who are entitled to receive a share of the crops, the share of each person in the net payment or net deduction for the crops will be that indicated on such form.

b. Payments for soil-building practices. The net payment earned by carrying out soil-building practices will be made to the landlord or tenant who carried out the practices. If the county committee determines that more than one person carried out practices on the farm, the payment will be divided in the proportion that the units of practices carried out by each person bears to the total units of practices carried out on the farm. All persons who contributed to a practice carried out on a particular acreage will be deemed to have contributed equally to the units for the practice unless they satisfy the county committee that their contributions were not equal. In that event the units for the practice will be divided in the proportion that the county committee determines the persons contributed.

c. Proration of net deductions. If for any farm the sum of the net payments for all persons exceeds the sum of the net deductions for all persons, the sum of the net deductions will be prorated among the persons for whom a net payment is computed, on the basis of such computed net payments. If for any farm the sum of the net deductions for all persons equals or exceeds the sum of the net payments for all persons, no payment will be made and the amount of the net deductions in excess of the net payments will be prorated among the persons for whom a net deduction is computed, on the basis of such computed net deductions.

#### SECTION 8. INCREASE IN SMALL PAYMENTS

The total payment computed for any person for any farm will be increased as follows:

- (a) Any payment amounting to 71 cents or less will be increased to \$1.00;
- (b) Any payment amounting to more than 71 cents but less than \$1.00 will be increased by 40 percent;
- (c) Any payment amounting to \$1.00 or more will be increased in accordance with the following schedule:

| Amount of Payment<br>Computed | Increase in<br>Payment | Amount of Payment<br>Computed | Increase In<br>Payment |
|-------------------------------|------------------------|-------------------------------|------------------------|
| \$1 to \$1.99.....            | \$0.40                 | \$32 to \$32.99....           | \$10.40                |
| \$2 to \$2.99.....            | .80                    | \$33 to \$33.99....           | 10.60                  |
| \$3 to \$3.99.....            | 1.20                   | \$34 to \$34.99....           | 10.80                  |
| \$4 to \$4.99.....            | 1.60                   | \$35 to \$35.99....           | 11.00                  |
| \$5 to \$5.99.....            | 2.00                   | \$36 to \$36.99....           | 11.20                  |
| \$6 to \$6.99.....            | 2.40                   | \$37 to \$37.99....           | 11.40                  |
| \$7 to \$7.99.....            | 2.80                   | \$38 to \$38.99....           | 11.60                  |
| \$8 to \$8.99.....            | 3.20                   | \$39 to \$39.99....           | 11.80                  |
| \$9 to \$9.99.....            | 3.60                   | \$40 to \$40.99....           | 12.00                  |
| \$10 to \$10.99....           | 4.00                   | \$41 to \$41.99....           | 12.10                  |
| \$11 to \$11.99....           | 4.40                   | \$42 to \$42.99....           | 12.20                  |
| \$12 to \$12.99....           | 4.80                   | \$43 to \$43.99....           | 12.30                  |
| \$13 to \$13.99....           | 5.20                   | \$44 to \$44.99....           | 12.40                  |
| \$14 to \$14.99....           | 5.60                   | \$45 to \$45.99....           | 12.50                  |
| \$15 to \$15.99....           | 6.00                   | \$46 to \$46.99....           | 12.60                  |
| \$16 to \$16.99....           | 6.40                   | \$47 to \$47.99....           | 12.70                  |
| \$17 to \$17.99....           | 6.80                   | \$48 to \$48.99....           | 12.80                  |
| \$18 to \$18.99....           | 7.20                   | \$49 to \$49.99....           | 12.90                  |
| \$19 to \$19.99....           | 7.60                   | \$50 to \$50.99....           | 13.00                  |
| \$20 to \$20.99....           | 8.00                   | \$51 to \$51.99....           | 13.10                  |
| \$21 to \$21.99....           | 8.20                   | \$52 to \$52.99....           | 13.20                  |
| \$22 to \$22.99....           | 8.40                   | \$53 to \$53.99....           | 13.30                  |
| \$23 to \$23.99....           | 8.60                   | \$54 to \$54.99....           | 13.40                  |
| \$24 to \$24.99....           | 8.80                   | \$55 to \$55.99....           | 13.50                  |
| \$25 to \$25.99....           | 9.00                   | \$56 to \$56.99....           | 13.60                  |
| \$26 to \$26.99....           | 9.20                   | \$57 to \$57.99....           | 13.70                  |
| \$27 to \$27.99....           | 9.40                   | \$58 to \$58.99....           | 13.80                  |
| \$28 to \$28.99....           | 9.60                   | \$59 to \$59.99....           | 13.90                  |
| \$29 to \$29.99....           | 9.80                   | \$60 to \$185.99....          | 14.00                  |
| \$30 to \$30.99....           | 10.00                  | \$186 to \$199.99..           | (1)                    |
| \$31 to \$31.99....           | 10.20                  | \$200 and over....            | (2)                    |

(1) Increase to \$200.

(2) No increase.

#### SECTION 9. PAYMENTS LIMITED TO \$10,000

The total of all payments for the 1940 programs under Section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate upon farms and ranching units located within a single State will not exceed \$10,000. The total of all such payments to any person other than an individual, partnership, or estate upon farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) will not exceed \$10,000. These limitations will be applied prior to the deduction for association expense in the county or counties for which the particular payment is made.

All or any part of any payment which has been or otherwise would be made to any person under the 1940 program may be withheld or required to be returned if he has adopted or participated in



adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, or trust, which was designed to evade, or would have the effect of evading, the provisions of this section.

#### SECTION 10. DEDUCTIONS INCURRED ON OTHER FARMS

a. Other farms in the same county. A landlord's or tenant's share of the net deduction for the farm will be deducted from his share of any payment which would otherwise be made to him on any other farms in the same county.

b. Other farms in the State. If the net deductions computed for a landlord or tenant for any farms in a county exceed the net payments computed for him on other farms in the county, the amount of such excess deductions will be deducted from the payment computed for him for other farms in the State if the State committee finds that the crops grown and the practices adopted on the farms for which the deductions are computed substantially offset the contribution to the program made on such other farms.

#### SECTION 11. DEDUCTIONS FOR ASSOCIATION EXPENSES

There will be deducted pro rata from the payments for any farm all or part of the estimated administrative expenses incurred or to be incurred by the county agricultural conservation association in the county in which the farm is located.

#### SECTION 12. GENERAL PROVISIONS RELATING TO PAYMENTS

a. Payment restricted to effectuation of purposes of the program.

(1) All or any part of any payment which otherwise would be made to any person under the 1940 program may be withheld or required to be returned: (a) If he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the 1940 or previous agricultural conservation programs; (b) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized; or (c) if for forest land or woodland owned or controlled by him, he has adopted any practice which is found contrary to sound conservation practices.

(2) No payments other than payments for soil-building practices will be computed for any farm which is not being operated in 1940. Instructions for determining whether a farm is being operated in 1940 will be issued for each State with the approval of the Agricultural Adjustment Administration. As a minimum requirement the instructions will provide that a farm will not be considered as operated in 1940 unless

(a) an acreage of land equal to at least one-half of the acreage in the soil-depleting allotments for the farm is devoted to one or more of the following uses:

- (1) Seeded to a crop for harvest in 1940.
- (2) A crop (other than wild hay) is harvested in 1940.
- (3) Summer fallowed in 1940.
- (4) Devoted in 1940 to seeded legumes or grasses (legumes or grasses seeded in a workmanlike manner in 1940, other than those seeded in the fall of 1940, will be counted.)
- (5) Seeded to small grains to be pastured in 1940 (other than small grains seeded in the fall of 1940).

(b) the State committee finds that normal cropping operations were prevented by conditions beyond the control of the operator, or

(c) upon recommendation of the State committee, the regional director finds that the farm is actually being operated in 1940.

b. Payment computed and made without regard to claims. Any payment or share of payment will be computed and made without regard to questions of title under State law, without deduction of claims for advances (except assignments approved on a form prescribed by the Agricultural Adjustment Administration and indebtedness to the United States subject to set-off) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

c. Changes in leasing and cropping agreements, reduction in number of tenants, and other devices. If on any farm in 1940 any change of the arrangements which existed on the farm in 1939 is made between the landlord or operator and the tenants and the change would cause a greater proportion of the payments to be made to the landlord or operator under the 1940 program than would have been made to the landlord or operator for performance on the farm under the 1939 program, payments to the landlord or operator under the 1940 program for the farm will not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1939 had been continued in 1940, if the county committee certifies that the change is not justified and disapproves it.

If on any farm the number of share tenants in 1940 is less than the average number on the farm during the three years 1937 to 1939, inclusive, and this reduction would increase the payments



that otherwise would be made to the landlord or operator, the payments to the landlord or operator will not be greater than the amount that otherwise would be made if the county committee certifies that the reduction is not justified and disapproves it.

If the State committee finds that any person who files an application for payment under the 1940 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which the person normally would be entitled, any payment which would otherwise be made to him under the 1940 program may be withheld by the Secretary in whole or in part from the person participating in or employing the scheme or device, or the person may be required by the Secretary to refund any payment in whole or in part.

d. Assignments. Any person who may be entitled to any payment in connection with the 1940 program may assign the payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1940. No assignment will be recognized unless the assignment is made in writing on a form prescribed by the Agricultural Adjustment Administration in accordance with instructions issued by the Agricultural Adjustment Administration, and unless it is entitled to priority.

e. Excess cotton acreage. Any person having an interest in the cotton crop on a farm on which cotton is knowingly planted in 1940 in excess of the cotton allotment for the farm will not be eligible for any payment under the provisions of the 1940 program. Any person will be presumed to have knowingly planted cotton on his farm in excess of the cotton allotment if notice of the allotment is mailed to him prior to the completion of the planting of cotton on the farm, unless he establishes the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. The notice, if mailed to the operator of the farm, will be deemed to be notice to all persons sharing in the production of cotton on the farm in 1940.

### SECTION 13. APPLICATION FOR PAYMENT

a. Farms for Which Payment will be Made. A net payment will be computed for any person for a farm only if a Farm Plan for Participation in the 1940 Agricultural Conservation Program, on a form prescribed by the Agricultural Adjustment Administration, is executed for the farm and received by the county committee on or before May 1, 1940.

If for any farm such form is not executed and received by this date, no payment will be made to any person for the farm. However, if for such farm the sum of the net deductions for all persons exceeds the sum of the net payments for all persons, the amount of the net deductions in excess of the net payments will

be prorated among the persons for whom a net deduction is computed, on the basis of such computed net deductions. Such prorated deductions will be deducted from any net payment computed for such persons for any farm.

b. Persons eligible to file applications. An application for payment for a farm may be made by any person for whom, under the provisions of Section 7, a share in the payment on the farm may be computed, and (1) who at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (2) who is owner or operator of such farm and participates thereon in 1940 in carrying out approved soil-building practices.

c. Time and manner of filing application and information required. Payment will be made only upon application submitted through the county office on or before March 31, 1941. The right is reserved by the Secretary (1) to withhold payment from any person who fails to file any form or furnish any information required for any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (2) to refuse to accept any application for payment if any form or information required is not submitted to the county office within a fixed time. At least 2 weeks' notice to the public will be given of the expiration of a time limit for filing prescribed forms. Such notice will be given by mailing it to the office of each county committee and making copies available to the press.

d. Applications for other farms. If a person has the right to receive all or a portion of the crops produced on more than one farm in a county and makes application for payment on one of such farms, he must make application for payment on all such farms. Upon request by the State committee any person will file with the committee any information it may request regarding any other farm in the State on which he has the right to receive all or a portion of the crops, or which he rents to another for cash.

#### SECTION 14. APPEALS

Any person may, within 15 days after notice is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determination on any of the following matters affecting any farm in which he has an interest as landlord or tenant: (a) Eligibility to file an application for payment; (b) any soil-depleting acreage allotment, normal or actual yield, measurement, or soil-building goal; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment for the farm. The county committee will notify such person of its decision in writing within 15 days after receipt of the written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available



to him, appeal in writing to the State committee. The State committee will notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the North Central Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee will also be issued to each person known to it who, as landlord or tenant, having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord or tenant, having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal will be given a full and fair hearing if he appears when the hearing thereon is held.

#### SECTION 15. BULLETINS, INSTRUCTIONS AND FORMS

The Agricultural Adjustment Administration is hereby authorized to make such determinations and to prepare and issue such bulletins, instructions, and forms, as may be required pursuant to the provisions hereof in administering the 1940 Adair County program.

(SEAL)

DONE at Washington, D. C., this  
4th day of April, 1940. Witness  
my hand and seal of the Depart-  
ment of Agriculture.

/s/ H. A. WALLACE  
Secretary of Agriculture.

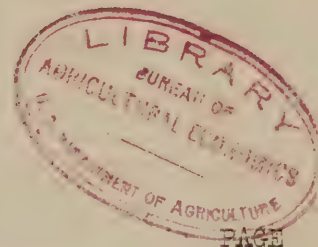
UNITED STATES DEPARTMENT OF AGRICULTURE  
 AGRICULTURAL ADJUSTMENT ADMINISTRATION  
 Washington, D. C.

APR 15 1940

1940 AGRICULTURAL CONSERVATION PROGRAM  
 LICKING COUNTY, OHIO

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The fundamental purposes of the Licking County Agricultural Conservation Program for 1940 are to operate as part of the national agricultural conservation program: (1) to conserve and improve the soil resources of the nation; (2) to stabilize and maintain adequate food supplies for consumers; and (3) to help farmers secure their fair share of the national income.

The program provides for payments and grants of aid to farmers to help them pay at least part of the cost of carrying out these purposes by maintaining their present position on the maintenance payment scale, improving such position, and adapting pasture improvement and tree planting practices.

The Licking County Program is authorized by Sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended. The provisions of the program are subject to such laws affecting the program as Congress may enact and are dependent upon the appropriation of funds by Congress. The amounts of the payments and grants of aid will be within the limits determined by such appropriation, the distribution of the funds according to the Act, as amended, the final estimate of payments which would be made in Licking County under the 1940 National Agricultural Conservation Program, and the extent of participation in the program. The rates of payment for any item may be increased or decreased as an adjustment for participation and the funds available. Payments and grants of aid will be made in Licking County for participation in the 1940 Licking County Agricultural Conservation Program (hereinafter referred to as the 1940 Program) in accordance with the provisions hereof and such modifications thereof or other provisions as may hereafter be made.

The provisions of the 1940 Licking County Program contained in this bulletin except Section X and Section XIV, E, are not applicable to (1) counties other than Licking County, Ohio, and (2) public domain of the United States, including land owned by the United States and administered by the Forest Service of the United States Department of Agriculture, or other lands in which the beneficial ownership is in the United States.

For all purposes relating to the 1940 Program, farming operations and practices carried out during the program year, November 1, 1939, to October 31, 1940, will be deemed to have been carried out in 1940, but any acreage of land seeded in the fall of 1940 to a small grain crop will not for that reason be regarded as having been devoted to that crop in 1940.

#### SECTION I DEFINITIONS

1. NORTH CENTRAL REGION means the area included in the States of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin.

2. STATE COMMITTEE means the group of persons designated within any State to assist in the administration of the agricultural conservation programs in such State.

3. COUNTY COMMITTEE means the group of persons elected within any county to assist in the administration of the agricultural conservation programs in such county.



4. **COMMUNITY COMMITTEE** means the group of persons elected within any township to assist in the administration of the agricultural conservation programs in the township.

5. **LANDLORD** means a person who owns land and operates it or rents it to another person.

6. **TENANT** means a person who rents land from another person (for cash, a fixed commodity payment, or a share of the proceeds of the crops) and is entitled under a written or oral lease or agreement to receive all or a share of the crops produced on that land.

7. **PERSON** means an individual, partnership, association, corporation, estate, or trust, and wherever applicable, a State or political subdivision of a State or any agency thereof.

8. **FARM** means all adjacent or nearby farm land under the same ownership, whether operated by one person or field-rented in whole or in part to one or more persons, and constituting a unit with respect to the rotation of crops.

If the operator and all the owners entitled to share in the crops request and agree, a farm may include any adjacent or nearby farm land if the county committee determines that:

- a. The entire area of land is operated by the one person as part of unit in the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other land;
- b. The yields and productivity of the differently owned tracts do not vary substantially;
- c. The combination is not being made for the purpose of increasing acreage allotments or primarily for the purpose of effecting performance; and
- d. The separately owned tracts constitute a farming unit for the operator and will be regarded in the community as constituting one farm in 1940.

A tract of land will not be considered as a farm unless (1) it contains at least three acres of farmland, or (2) the gross income normally obtained each year from the production of crops on the land is at least \$250.00.

A farm is regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling on the farm, it is regarded as located in the county in which the major portion of the farm is located.

9. **CROPLAND** means:

- a. For 1939, that acreage which was, or could have been, determined to be cropland under the provisions of the 1939 Agricultural Conservation Program for Licking County, Ohio.

- b. For 1940, farm land which is tilled in 1940, was tilled in 1939, or was in regular rotation, excluding commercial orchards and any land growing a soil-producing crop in 1940, which, if tilled, will constitute an erosion hazard to that farm or to the community.

Land that was not devoted between January 1, 1935, and January 1, 1940, to the production of intertilled crops, small grain crops, or conserving crops seeded in regular rotation, should be considered noncropland, unless such land is suitable for the production of soil-depleting crops without clearing, or draining; is definitely equal to or superior to the land in the community used for the production of soil-depleting crops, with respect to productivity and adaptability to the production of such crops; if tilled will not become a serious erosion hazard; and will in the normal course of the crop rotation on the farm be used for the production of soil-depleting crops.

Land that was devoted between January 1, 1935, and January 1, 1940, to the production of crops should be considered noncropland if it is no longer cropped or suitable to the production of soil-depleting crops, by reason of severe erosion or lack of clearing or draining, and is inferior to the land in the farm used for the production of soil-depleting crops with respect to the productivity and adaptability to the production of such crops.

Land devoted to forest trees on January 1, 1940, will be considered as noncropland unless it has been devoted since January 1, 1935, to the production of intertilled crops, small grain crops, or conserving crops.

10. OPEN NONCROPLAND PASTURE means any farm land not cropland on which the predominant growth is forage characteristic of grazing lands, provided this land is essentially free of brush, briars, stumps, and trees. Any acreage of noncropland pasture occupied to such an extent by stumps, trees, or other objects as to materially interfere with the application of liming or fertilizing materials or with the taking of measurement shall not qualify as open noncropland pasture. The term "open noncropland pasture" shall include any noncropland used for the production of wild hay.

11. WINTER COVER CROP means (a) any biennial or perennial legume or grass or stubble of any of these crops, or (b) any small grain which will live through or into the winter, provided there is good and sufficient cover to protect the soil from wind and water erosion and leaching.

12. SPECIAL ALLOTMENT means a corn, or wheat allotment.

13. COMMERCIAL ORCHARDS means the acreage in planted or cultivated fruit trees, nut trees, vineyards, hops, or bush fruits, on the farm on January 1, 1940, (excluding nonbearing orchards and vineyards), from which the major portion of the production is normally sold.

14. PRODUCTIVITY FACTOR is that rating given each crop, land use, or unit of land treatment denoting the relative degree to which that crop, land use, or unit of land treatment degrades or restores the soil. Restorative crops, land uses or land treatments are denoted by positive factors, and the degrading is shown by negative factors.



15. **PRODUCTIVITY BALANCE VALUE** is that rating given each farm on the basis of the combined productivity factors for each crop, land use, or unit of land treatment on cropland, combined with the erosion factor on that cropland, denoting the degree to which the cropland on that farm is being degraded, maintained, or improved. A farm with a negative productivity balance value is assumed to be in a relative state of cropland deterioration, while a farm with a positive productivity balance value is assumed to be in a relative state of cropland improvement, and the size of the balance value denotes the relative rate of deterioration or improvement.

16. **EROSION FACTOR** is that rating given each field and each farm on the basis of the average slope shown by the cropland on that farm, for the purpose of indicating the degree to which the cropland on such farm is subject to erosion.

**SECTION II - CROPS FOR WHICH SPECIAL ALLOTMENTS  
ARE DETERMINED**

---

**A. CORN**

**1. DEFINITIONS AND ALLOTMENTS**

a. **COMMERCIAL CORN AREA** means counties which have produced an average of at least 450 bushels of corn per farm and 4 bushels of corn per acre of farm land during the past 10 years. It also includes bordering counties containing townships producing and likely to produce an average of 450 bushels of corn per farm and 4 bushels of corn per acre of farm land.

b. **ACREAGE PLANTED TO CORN** means the acreage of land seeded to field corn, sweet corn, or popcorn, except: (1) Any acreage of sweet corn contracted to be sold for canning or freezing; (2) any acreage of sweet corn sold for canning, roasting ears or freezing; (3) any acreage of sweet corn to be sold or used as seed; (4) any acreage of popcorn sold or to be used as seed; (5) any acreage of sown corn used as a cover crop or green manure crop; and (6) any acreage of sweet corn or popcorn grown in home gardens for use on the farm.

c. **National Goal.**--The 1940 national goal for corn is 88,000,000 to 90,000,000 acres.

d. **Commercial Area Allotment.** --The 1940 corn allotment for the commercial corn area is 36,638,000 acres.

e. **State Allotments.**--The State corn allotments (for commercial corn counties, including the States of Kansas and Kentucky) are:

| <u>State</u>   | <u>Acres</u> |
|----------------|--------------|
| Illinois.....  | 6,513,876    |
| Indiana.....   | 3,225,400    |
| Iowa.....      | 8,193,223    |
| Michigan.....  | 392,095      |
| Minnesota..... | 3,177,524    |
| Missouri.....  | 2,876,339    |

| <u>State</u>      | <u>Acres</u> |
|-------------------|--------------|
| Nebraska.....     | 5,905,316    |
| Ohio.....         | 2,396,291    |
| South Dakota..... | 1,393,962    |
| Wisconsin.....    | 667,577      |
| Kansas.....       | 1,573,277    |
| Kentucky.....     | 323,220      |

f. County Allotments.--County corn allotments are determined for the counties in the commercial corn area. The corn allotment for the commercial corn area in the State is distributed among the counties in the State in the commercial corn area. Distribution is made pro rata on the basis of the acreage planted to corn, plus the acreage diverted from corn under the agricultural adjustment and conservation programs, during the 10 years 1929 to 1938, inclusive, with adjustments for abnormal weather conditions and trends in acreage.

- (1) The Licking County corn allotment is 43,103 acres, as determined in accordance with the North Central Region procedure for determining county corn allotments.

g. Farm Acreage Allotments.--Corn allotments shall be determined by the county committee, with the assistance of other local committees in the county, in accordance with instructions issued by the Agricultural Adjustment Administration, on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The allotment for any farm shall compare with the allotments for other farms in the same community which are similar with respect to such factors. The corn acreage allotments determined for the farms in a county shall not exceed the county corn acreage allotment.

## 2. NORMAL YIELDS

The county committee, with the assistance of other local committees in the county, shall determine for each farm for which a corn acreage allotment is determined a normal yield for corn in accordance with instructions issued by the Agricultural Adjustment Administration and the following provisions:

- a. Where reliable records of the actual average yields per acre of corn for the ten years 1930 to 1939 are presented by the farmer or are available to the committee, the normal yield for the farm shall be the average of such yields adjusted for trends and abnormal weather conditions;
- b. If for any year of such ten-year period reliable records of the actual average yield are not available or there was no actual yield because corn was not planted on the farm in such year, the normal yield for the farm shall be the yield which, on the basis of all available facts including the yield customarily made on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land, the county committee determines to be the yield which was or could reasonably have been expected on the farm for such ten-year period; and
- c. The yields determined under a and b above shall be adjusted so that the average of the normal yields for all farms in the county (weighted by the respective corn acreage allotments determined for such farms) shall not exceed the county yield established by the Secretary.



B. WHEAT

1. DEFINITIONS AND ALLOTMENTS.

a. ACREAGE PLANTED TO WHEAT means:

- (1) The acreage seeded to wheat alone;
- (2) The acreage of volunteer wheat which remains on the land after May 1, 1940;
- (3) Any other acreage seeded to a mixture containing wheat, except:
  - (a) Any acreage devoted to a wheat mixture. However, any acreage will not be considered as having been devoted to a wheat mixture if the crops other than wheat fail to reach maturity and the wheat is permitted to reach maturity.

b. WHEAT MIXTURE means a mixture of wheat and other small grains, excluding vetch, containing when seeded less than 50 percent by weight of wheat or less than 75 percent by weight of wheat when seeded with not less than 25 percent by weight of rye or barley, which are seeded in the same operation and may reasonably be expected to produce a crop containing such proportions of plants other than wheat that the crop could not be harvested as wheat for grain or seed.

c. National Goal.--The 1940 national goal for wheat is 60 million acres to 65 million acres. The 1940 national wheat allotment is 62 million acres.

d. State Allotments.--The State wheat allotments for States in the North Central Region are:

| <u>State</u>   | <u>Acres</u> | <u>State</u>      | <u>Acres</u> |
|----------------|--------------|-------------------|--------------|
| Illinois.....  | 1,938,259    | Missouri.....     | 1,963,713    |
| Indiana.....   | 1,601,447    | Nebraska.....     | 3,560,400    |
| Iowa.....      | 456,046      | Ohio.....         | 1,838,127    |
| Michigan.....  | 739,792      | South Dakota..... | 3,245,869    |
| Minnesota..... | 1,663,684    | Wisconsin.....    | 99,128       |

e. County Allotments.--County wheat allotments are determined by distributing the State allotment among the counties in the State pro rata on the basis of the acreage seeded for wheat production, plus the acreage diverted under the agricultural adjustment and conservation programs, in such counties during the 10 years 1929 to 1938, inclusive, with adjustments for abnormal weather conditions and trends in acreage.

- (1) The Licking County wheat allotment is 30,338 acres, as determined in accordance with the North Central Region procedure for determining county wheat allotments.

f. Farm Acreage Allotments.--Acreage allotments of wheat shall be determined by the county committee, with the assistance of other local committees in the county, in accordance with instructions issued by the Agricultural Adjustment Administration, for farms on which wheat has been planted for harvest in one or more of the years 1937, 1938, and 1939, on the basis of tillable acreage and crop rotation practices as reflected in the usual acreage of wheat on the farm, or the ratio of wheat acreage to cropland in the community or in the county, and on the basis of the type of soil and topography. Not more than 3 percent of the county wheat acreage allotment shall be apportioned to farms in such county on which wheat will be planted for harvest in 1940 but on which wheat was not planted for harvest in any one of the three years 1937, 1938, and 1939, on the basis of tillable acreage, crop rotation practices, type of soil, and topography. The wheat acreage allotment for any farm shall compare with the wheat acreage allotments determined for other farms in the same community which are similar with respect to such factors. The wheat acreage allotments determined for farms in a county shall not exceed their proportionate share of the county wheat acreage allotment.

## 2. NORMAL YIELDS

The county committee with the assistance of the community committees will determine a normal yield for each farm for which a wheat allotment is determined or a deduction computed.

a. Where reliable records of the actual average yield per acre of wheat for the ten years 1929 to 1938 are presented by the farmer or are available to the committee, the normal yield for the farm will be the average of such yields adjusted for trends and abnormal weather conditions.

b. If for any year of the ten-year period reliable records of the actual yield are not available or there was no actual yield because wheat was not planted on the farm, the county committee will determine the normal yield for the farm. This will be based upon all available facts, including the yield customarily secured on the farm, weather conditions, type of soil, drainage, production practices, and general fertility of the land. The yields so determined will be adjusted so that the weighted average of the normal yields for all farms in the county will not exceed the county average yield.

## SECTION III - CLASSIFICATION OF LAND USE OR TREATMENT WITH ASSOCIATED PRODUCTIVITY FACTORS

---

The acreage of cropland upon a farm in 1939 and 1940 shall be classified according to its use or treatment in such year and shall receive appropriate productivity factor as follows:

### 1. Cropland not planted.

- |  |      |
|--|------|
| a. Cropland idle and bare during season                  | -2.0 |
| b. Cropland idle but not bare nor fallowed during season | -0.5 |



|    |  |      |
|----|--|------|
| c. | Cropland fallowed during season  | -2.0 |
| 2. | <u>Cropland Planted to Field Crops for Harvesting Within The Crop Year.</u>  |      |
| a. | Field corn for silage or grain harvested or hogged off   | -2.0 |
| b. | Winter-grains (wheat, rye) harvested as grain, hay, or pasture, including hogged off   | -1.0 |
| c. | Spring or summer seeded small grains (oats, barley, flax, buckwheat) harvested as grain, hay or pasture  | -0.9 |
| d. | Soybeans or cowpeas harvested as seed or hay   | -0.5 |
| e. | Sudan grass harvested as hay or pasture  | -1.5 |
| f. | Millet harvested as hay or pasture   | -1.5 |
| g. | Sorghums for harvesting  | -2.0 |
| h. | Rape for pasture   | -1.0 |
| i. | Cropland planted to a crop for harvesting within the crop year, not fall plowed but bare of sod or of winter cover crop as of October 31, 1940. (This factor to be applied in addition to any other factor applicable to such cropland.) | -0.5 |

3. Cropland on which is Growing a Good Stand of Hay or Pasture Plants.

For a land use to be classified as producing one of the crops listed in this subsection 3, at least 75 percent of the stand must be of that particular crop.

|    |   |      |
|----|---|------|
| a. | Alfalfa, stand in year of seeding                             | +1.5 |
| b. | Alfalfa, 2nd year stand                                       | +1.0 |
| c. | Alfalfa, 3rd year stand                                       | +0.5 |
| d. | Alfalfa, 4th year, and more, stand                            | 0.0  |
| e. | Sweet clover (biennial), year of seeding                      | +1.5 |
| f. | Sweet clover, 2nd year of growth, pastured or cut for hay.    | +1.0 |
| g. | Sweet clover, 2nd year of growth, not pastured or cut for hay | +1.5 |

|  |                  |
|--|------------------|
| h. Clovers (red, mammoth, alsike), year of seeding                                 | <del>/</del> 1.0 |
| i. Clovers (red, alsike, mammoth), 2nd year of growth, pastured or cut for hay     | <del>/</del> 1.0 |
| j. Clovers (red, alsike, mammoth), 2nd year of growth, not pastured or cut for hay | <del>/</del> 1.5 |
| k. Alfalfa-grass mixtures, year of seeding   | <del>/</del> 1.5 |
| l. Alfalfa-grass mixtures, 2nd year of growth                                      | <del>/</del> 0.5 |
| m. Alfalfa-grass mixtures, 3rd year of growth                                      | <del>/</del> 0.5 |
| n. Alfalfa-grass mixtures, 4th year of growth                                      | 0.0              |
| o. Clover-grass mixtures, year of seeding  | <del>/</del> 0.5 |
| p. Clover-grass mixtures, 2nd year of growth                                       | <del>/</del> 0.5 |
| q. Timothy, orchard grass, or mixtures regardless of year of seeding               | 0.0              |
| r. Bluegrass and other permanent pasture grasses                                   | 0.0              |
| s. Lespedeza, cut for hay or pastured  | <del>/</del> 0.5 |
| t. Lespedeza, not cut for hay or pastured  | <del>/</del> 1.0 |

In order to receive plus productivity factors, all seedings of red clover and any mixtures containing red clover must be made with adapted red clover seed, and all seedings of alfalfa and any mixtures containing alfalfa must be made with adapted alfalfa seed, the origin of which must be certified. Red clover and alfalfa seed grown in Canada and in the following States will be regarded as adapted: Colorado, Connecticut, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

Red clover and alfalfa seed grown in the following counties of the following States also will be regarded as adapted: The counties of Baker, Crook, Deschutes, Gilliam, Grant, Harney, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, and Wheeler in the State of Oregon; the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, and Whitman in the State of Washington. Red clover and alfalfa seed grown in counties in Oregon and Washington other than those enumerated in this paragraph and alfalfa grown in Oklahoma will be regarded as adapted if certification is made by the State Crop Improvement Association of the State where the seed was produced in the State and was produced from parent seed of Ohio red clover or Tennessee anthracnose-resistant red clover or parent seed of hardy



adapted alfalfa and if the certification tag attached to the seed is filed with the county committee in cases where quantities of 100 pounds or more are purchased. Any of these crops grown from unadapted seed planted between November 1, 1939, and October 31, 1940, shall receive a productivity factor of zero.

4. Cropland into Which is Incorporated a Green Manure or a Residue Crop.

- a. Sweet clover, 2nd year of growth, not pastured, plowed under green prior to June 1 +1.0
- b. Sweet clover, 2nd year of growth, not pastured nor cut for hay or seed, plowed under after June 1 +2.0
- c. Alfalfa, 2nd or more years of growth, not pastured and plowed under green prior to June 1 +1.0
- d. Alfalfa, 2nd or later years of growth, not pastured nor cut for hay or seed, plowed under green after June 1 +2.0
- e. Clovers (red, alsike, mammoth), 2nd year of growth, not pastured and plowed under green prior to June 1 +0.75
- f. Clovers (red, alsike, mammoth), 2nd year of growth, not pastured nor cut for hay or seed, plowed under after June 1 +1.75
- g. Soybeans, cowpeas, or vetch, entire plant plowed under in bloom stage +1.5
- h. Rye, wheat, or buckwheat, not pastured, plowed under green with at least sixty days of growth +0.5
- i. Sweet corn, entire stalk and leaves plowed under green after removal of ears (this factor in addition to that indicated under subsection 5, this Section III.) +0.5
- j. Field corn, drilled solid and entire plant plowed under green in tassel stage +1.5

5. Cropland Planted to Vegetables and Special Crops for Harvesting within the Crop Year.

- a. Popcorn for harvesting -1.5
- b. Sweet corn harvested for market or canning -1.5
- c. Sweet corn for other uses -2.0
- d. Tomatoes for harvesting -2.0

|   |                 |
|---|-----------------|
| e. Irish potatoes for harvesting  | -2.0            |
| f. Sweet potatoes for harvesting  | -2.0            |
| g. Onions for harvesting  | -2.0            |
| h. Melons for harvesting  | -2.0            |
| i. Pumpkins for harvesting  | -2.0            |
| j. Cucumbers for harvesting   | -2.0            |
| k. Cabbage for harvesting   | -1.5            |
| l. Canning peas for harvesting  | -0.5            |
| m. Field peas for harvesting  | -0.5            |
| n. Field beans for harvesting   | -0.5            |
| o. Turnips for harvesting   | -2.0            |
| p. Vegetables not listed above or mixtures of vegetables  | -2.0            |
| 6. <u>Cropland Occupied by Fruit or Forest Tree Plantings.</u>  |                 |
| a. Noncommercial Orchards (entire acreages) (Orchards interplanted, in addition to this factor shall receive the factor assigned to the interplanted crop for the acreage of such interplanted crop.) | -2.5            |
| b. Cane and Bush Fruits   | -2.0            |
| c. Rhubarb  | -1.0            |
| d. Asparagus  | -1.0            |
| d. Forest Trees and Windbreaks  | 0.0             |
| 7. <u>Commercial Fertilizer Applied to Cropland.</u>  |                 |
| a. For each 100 lbs. of single strength commercial fertilizer   | <del>0.07</del> |
| b. For each 100 lbs. of 1-1/2 strength commercial fertilizer  | <del>0.11</del> |
| c. For each 100 lbs. of double strength commercial fertilizer   | <del>0.15</del> |
| d. For each 100 lbs. of other commercial fertilizer credit in accordance with it proportional strength based on the officially registered, guaranteed analysis.                                       |                 |



\*Note - 20 units of plant nutrients constitute a single strength fertilizer. Example:  
2-12-6, 2-16-2, 0-14-6, 0-20-0.

No credit will be given for the application of any fertilizer not guaranteed by the manufacturer and registered with the Ohio State Department of Agriculture in conformity with the Ohio State Fertilizer Control Law. For application upon cropland of fertilizing materials which are furnished to the farmer by any State or Federal agency credit will be given subject to the provisions of subsection 3, Section VII.

8. Limestone Applied to Cropland.

- a. For each 1,000 lbs. of "agricultural ground limestone" possessing a neutralizing power of 90 to 108 +0.25
- b. For each 1,000 lbs. of "agricultural meal" possessing a neutralizing power of 90 to 108 +0.20
- c. For each 1,000 lbs. of "pulverized limestone" possessing a neutralizing power of 90 to 108 +0.30
- d. For each 1,000 lbs. of "hydrated lime" possessing a neutralizing power of 120 to 154 +0.40
- e. For each 1,000 lbs. of "hydrated lime" possessing a neutralizing power of 155 to 175 +0.50
- f. For each 1,000 lbs. of other types of liming materials of certified neutralizing power, credit in proportion to that for 1,000 lbs. of "agricultural ground limestone."

Credit will not be given for the application upon cropland of liming materials unless officially registered and guaranteed in conformity with the provisions of the Ohio Fertilizer Control Law, or unless the neutralizing power has been determined and certified by the Ohio State Soil Testing Laboratory.

For application upon cropland of liming materials which are furnished the farmer by any State or Federal agency credit will be given subject to the provisions of subsection 3, Section VII.

9. Cropland Contour Tilled or Strip Cropped on the Contour.

- a. Cropland on which intertilled crops are tilled on the contour - a positive productivity factor equal to 30 percent of the erosion factor for such cropland.
- b. Cropland strip cropped on the contour with alternate strips of intertilled crops and sown, close-drilled, or sod crops -- a positive productivity factor equal to 60 percent of the erosion factor for such intertilled cropland and a positive

productivity factor equal to 30 percent of the erosion factor for other negative value crops.

The factors under a and b of this subsection 9 shall apply only to cropland having a slope greater than 2 percent and not in excess of 24 percent, and the same cropland shall not be eligible to receive more than one of such factors.

#### SECTION IV - PRODUCTIVITY BALANCE VALUES AND EROSION FACTORS.

The county committee, in accordance with provisions contained herein and instructions issued by the Agricultural Adjustment Administration, shall establish for each 1940 farm:

1. A 1939 productivity balance value and a 1940 productivity balance value on the basis of percent of slope, uses and treatments of cropland, and types of crops produced in the respective years.
2. An erosion factor for total cropland in the farm on the basis of the slope of the various cropland fields.

#### SECTION V - CROPLAND CONSERVING PAYMENTS.

1. Maintenance Payment. For each farm in Licking County a cropland maintenance payment scale will be established. A maintenance payment will be made on each farm for which the 1940 productivity balance value is above the lower extreme of this scale. The upper extreme of the payment scale on all farms shall be 0.10. The lower extreme of the payment scale shall be -0.70 plus 50 percent of the weighted average erosion factor for all the cropland on that farm. The maintenance payment for each acre of cropland shall be equal to 1.50 cents for each point (0.01) by which the 1940 productivity balance value for that farm is above the lower extreme of the payment scale for that farm up to a limit of the number of such points between the lower and upper extremes of the payment scale for that farm.
2. Building Payment. The cropland building payment for each acre of cropland shall be equal to 2.00 cents for each point (0.01) by which the 1940 productivity balance value is above the 1939 productivity balance value up to a limit of 40 such points.

To be eligible for cropland conserving payments a farm must be in an active state of cultivation in 1940.

#### SECTION VI - PASTURE LAND CONSERVING PAYMENTS.

A pasture conserving allowance shall be established for each farm. This allowance shall be the maximum amount which may be earned



in 1940 by the carrying out on a farm of any of the pasture conserving practices listed below. The pasture conserving allowance for a farm shall be 50 cents for each acre of open noncropland pasture. Those farms for which this method of calculation results in a pasture conserving allowance of less than \$3.00 shall have an allowance of \$3.00 established for them. The practices and the conditions under which these practices must be performed in order to earn payment are:

1. Fertilizing Materials. The application on open noncropland pasture in 1940 of commercial fertilizing materials which are officially registered and guaranteed in conformity with the provisions of the Ohio State Fertilizer Control Law shall earn payments as follows:

- a. For each 100 lbs. single strength commercial fertilizer (\$0.50)

(A single strength fertilizer is one for which the summation of the units of plant nutrients equals 20. For example, 2-12-6, 2-16-2, 0-14-6, 0-20-0, etc.)

- b. For each 100 lbs. of 1-1/2 strength commercial fertilizer (\$0.75)

- c. For each 100 lbs. of double strength commercial fertilizer (\$1.00)

- d. For each 100 lbs. of other strength commercial fertilizer, payment in proportion to its strength in relation to single strength.

2. Liming Materials. The application on open noncropland pasture between November 1, 1939, and October 31, 1940, of liming materials which are officially registered and guaranteed in conformity with the provisions of the Ohio State Fertilizer Control Law, or such other liming materials for which the neutralizing power has been determined and certified by the State soil testing laboratory shall earn payments as follows:

- a. For each ton of "agricultural ground limestone" possessing a neutralizing power of 90 to 108 (\$1.50)

- b. For each ton of "agricultural meal" possessing a neutralizing power of 90 to 108 (\$1.00)

- c. For each ton of "pulverized limestone" possessing a neutralizing power of 90 to 108 (\$1.80)

- d. For each ton of "hydrated lime" possessing a neutralizing power of 120 to 154 (\$2.70)

- e. For each ton of "hydrated lime " possessing a neutralizing power of 155 to 175 (\$3.00)
- f. For each ton of other liming materials of certified neutralizing power, payment in proportion to that for one ton of "agricultural ground limestone".

To be eligible for pasture land conserving payments, practices listed herein must be carried out by such methods as conform to good farm practice. Proof of performance for any practice shall consist of satisfactory evidence that the practice was completed in accordance with conditions specified. Pasture land conserving payments for any practice herein set forth will be subject to the qualifications indicated in subsection 3, Section VII.

#### SECTION VII - SOIL CONSERVING PAYMENTS FOR TREE PLANTING.

Each farm in Licking County shall be eligible for payment in 1940 for the planting between November 1, 1939, and October 31, 1940, of forest trees or windbreaks on farm land at the rate of \$7.50 per acre, provided these plantings are made with acceptable species, classes of stock, rates of planting, and are properly protected. An allowance of \$30.00 will be computed for each farm for planting trees. Payments for tree planting shall be subject to the following qualifications:

1. That in the case of forest tree planting there is, on the date as of which final inspection is made for the purpose of determining performance on the farm, a stand of at least 650 living trees per acre; or if due to uncontrollable natural causes a stand of 650 living trees per acre is not obtained on the date as of which final inspection is made for the purpose of determining performance on the farm, there is satisfactory evidence that such trees were planted in accordance with good tree culture and that such trees have been properly protected.
2. That in the case of windbreak, or shelterbelt plantings, there is on the date as of which final inspection is made for the purpose of determining performance on the farm, a stand of at least 300 living trees per acre, or if due to uncontrollable natural causes a stand of 300 living trees is not obtained on the date as of which final inspection is made for the purpose of determining performance on the farm, there is satisfactory evidence that such trees were planted in accordance with good tree culture practice and that such trees have been properly protected.
3. Practices carried out with labor, seed, trees, and materials furnished entirely by any Federal or State agency,



other than the Agricultural Adjustment Administration, shall not be counted as a practice eligible for payment under this section. If a portion of the labor, seed, trees, or other materials used in carrying out any practice is furnished by a State or Federal agency, and such portion represents one-half or more of the total cost of carrying out such practice, such practice shall not be counted as a practice eligible for payment under this section; if such portion represents less than half of the total cost of carrying out such practice, one-half of such practice shall be counted as a practice eligible for payment under this section; Provided, that labor, seed, trees, and materials furnished to a State, a political subdivision of a State, or any agency thereof by any agency of the same State shall not be deemed to be furnished by "any State...agency" within the meaning of this paragraph. If trees are purchased from a Clark-McNary Cooperative State Nursery, such purchases shall not be deemed to be paid for in whole or in part by a State or Federal agency.

#### SECTION VIII - DIVISION OF PAYMENTS

The share of any person in any payments computed with respect to any farm in Licking County, subject to the provisions of Sections IX, X, and XI, shall be determined in accordance with the methods specified in this Section VIII.

1. Cropland Conserving Payments. The payment computed for any farm with respect to cropland conserving payments shall be divided among the landlords and tenants in the same proportion (as indicated by their acreage shares expressed in terms of either proportionate acreages or percentages) that such persons are entitled, at the time the crops are harvested, to share in the proceeds (other than a fixed commodity payment) of the crops grown on the farm in 1940.
2. Conserving Payments for Pasture Land and for Tree Planting. The amount of payment earned under Section VI and Section VII shall be paid to the landlord or tenant who carried out the practices to earn these payments. If the county committee determines that more than one such person contributed to the carrying out of one or more of such practices on the farm during the period November 1, 1939 to October 31, 1940, inclusive, such payment shall be divided in the proportion that the quantity of practices contributed by each such person bears to the total quantity of practices carried out on the farm

during the period November 1, 1939, to October 31, 1940, inclusive. Each person contributing to the practices carried out on a particular acreage shall be deemed to have contributed equally to such practices, unless such persons establish to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion, in which event credit for such practices shall be divided in the proportion which the county committee determines each such person contributed thereto.

SECTION IX - INCREASE IN SMALL PAYMENTS

The total payment computed for any person for any farm will be increased as follows:

- (a) Any payment amounting to 71 cents or less will be increased to \$1.00;
- (b) Any payment amounting to more than 71 cents but less than \$1.00 will be increased by 40 percent;
- (c) Any payment amounting to \$1.00 or more will be increased in accordance with the following schedule:



| Amount of Payment<br>Computed | Increase in<br>Payment | Amount of Payment<br>Computed | Increase in<br>Payment |
|-------------------------------|------------------------|-------------------------------|------------------------|
| \$1 to \$1.99.....            | \$0.40                 | \$32 to \$32.99.....          | \$10.40                |
| \$2 to \$2.99.....            | .80                    | \$33 to \$33.99.....          | 10.60                  |
| \$3 to \$3.99.....            | 1.20                   | \$34 to \$34.99.....          | 10.80                  |
| \$4 to \$4.99.....            | 1.60                   | \$35 to \$35.99.....          | 11.00                  |
| \$5 to \$5.99.....            | 2.00                   | \$36 to \$36.99.....          | 11.20                  |
| \$6 to \$6.99.....            | 2.40                   | \$37 to \$37.99.....          | 11.40                  |
| \$7 to \$7.99.....            | 2.80                   | \$38 to \$38.99.....          | 11.60                  |
| \$8 to \$8.99.....            | 3.20                   | \$39 to \$39.99.....          | 11.80                  |
| \$9 to \$9.99.....            | 3.60                   | \$40 to \$40.99.....          | 12.00                  |
| \$10 to \$10.99.....          | 4.00                   | \$41 to \$41.99.....          | 12.10                  |
| \$11 to \$11.99.....          | 4.40                   | \$42 to \$42.99.....          | 12.20                  |
| \$12 to \$12.99.....          | 4.80                   | \$43 to \$43.99.....          | 12.30                  |
| \$13 to \$13.99.....          | 5.20                   | \$44 to \$44.99.....          | 12.40                  |
| \$14 to \$14.99.....          | 5.60                   | \$45 to \$45.99.....          | 12.50                  |
| \$15 to \$15.99.....          | 6.00                   | \$46 to \$46.99.....          | 12.60                  |
| \$16 to \$16.99.....          | 6.40                   | \$47 to \$47.99.....          | 12.70                  |
| \$17 to \$17.99.....          | 6.80                   | \$48 to \$48.99.....          | 12.80                  |
| \$18 to \$18.99.....          | 7.20                   | \$49 to \$49.99.....          | 12.90                  |
| \$19 to \$19.99.....          | 7.60                   | \$50 to \$50.99.....          | 13.00                  |
| \$20 to \$20.99.....          | 8.00                   | \$51 to \$51.99.....          | 13.10                  |
| \$21 to \$21.99.....          | 8.20                   | \$52 to \$52.99.....          | 13.20                  |
| \$22 to \$22.99.....          | 8.40                   | \$53 to \$53.99.....          | 13.30                  |
| \$23 to \$23.99.....          | 8.60                   | \$54 to \$54.99.....          | 13.40                  |
| \$24 to \$24.99.....          | 8.80                   | \$55 to \$55.99.....          | 13.50                  |
| \$25 to \$25.99.....          | 9.00                   | \$56 to \$56.99.....          | 13.60                  |
| \$26 to \$26.99.....          | 9.20                   | \$57 to \$57.99.....          | 13.70                  |
| \$27 to \$27.99.....          | 9.40                   | \$58 to \$58.99.....          | 13.80                  |
| \$28 to \$28.99.....          | 9.60                   | \$59 to \$59.99.....          | 13.90                  |
| \$29 to \$29.99.....          | 9.80                   | \$60 to \$185.99.....         | 14.00                  |
| \$30 to \$30.99.....          | 10.00                  | \$186 to \$199.99....         | (1)                    |
| \$31 to \$31.99.....          | 10.20                  | \$200 and over.....           | (2)                    |

(1) Increase to \$200.

(2) No increase.

SECTION X- PAYMENTS LIMITED TO \$10,000

The total of all payments for the 1940 programs under section 8 of the Soil Conservation and Domestic Allotment Act to any individual, partnership, or estate upon farms and ranching units located within a single State will not exceed \$10,000. The total of all such payments to any person other than an individual, partnership, or estate upon farms, ranching units, and turpentine places in the United States (including Alaska, Hawaii, and Puerto Rico) will not exceed \$10,000. These limitations will be applied prior to the deduction for association expense in the county or counties for which the particular payment is made.

All or any part of any payment which has been or otherwise would be made to any person under the 1940 program may be withheld or required to be returned if he has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, or trust, which was designed to evade, or would have the effect of evading, the provisions of this section.

SECTION XI - DEDUCTION INCURRED ON OTHER FARMS.

1. Other Farms in Licking County. If a person who has made application for payment with respect to any farm in Licking County has an interest as landlord or tenant in any other farm in Licking County which qualifies for neither a maintenance payment nor a building payment as calculated under Section V, the payment which otherwise would be made to such person shall be decreased by an amount equal to such person's share of the deduction with respect to such other farm.

The deduction for each acre of cropland in such other farm shall be equal to 1.50 cents for each point (0.01) by which the 1940 productivity balance value is below the lower extreme of the payment scale.

Any deduction computed for a farm in accordance with the above provision shall be divided among the landlords and



tenants in the same proportion (as indicated by their acreage shares expressed in terms of either proportionate acreage or percentages) that such persons are entitled, at the time the crops are harvested, to share in the proceeds (other than a fixed commodity payment) of the crops grown on the farm in 1940.

2. Other farms in the State. If the net deductions computed for a landlord or tenant for any farms in a county exceed the net payments computed for him on other farms in the county, the amount of such excess deductions will be deducted from the payment computed for him for other farms in the State if the State committee finds that the crops grown and the practices adopted on the farm for which the deductions are computed substantially offset the contribution to the program made on such other farms.

#### SECTION XII - DEDUCTION FOR ASSOCIATION EXPENSES

There will be deducted pro rata from the payments for any farm in Licking County all or part of the estimated administrative expenses incurred or to be incurred by the Licking County Agricultural Conservation Association.

#### SECTION XIII - MATERIALS FURNISHED AS GRANTS OF AID

Whenever it is found practicable, limestone, superphosphate, and other materials, upon request of the producer, may be furnished by the Agricultural Adjustment Administration as grants of aid to be used in earning cropland conserving payments and pasture conserving payments. Triple superphosphate furnished as a grant of aid must be applied to or in connection with the seeding of perennial or biennial legumes, perennial grasses, winter vetch, lespedeza, or permanent pasture. Wherever such materials are furnished, a deduction from the payment for the farm will be made in the amount of the approximate average cost of such material to the Agricultural Adjustment Administration in the county, State, or other area. Such deductions will be applied to the payment computed for the person to whom such materials are furnished and any balance of such deductions will be prorated among the payments to other persons sharing in the payment for the farm on which the materials were used.

Material will be furnished only upon a producer's request and agreement on a form prescribed by the Agricultural Adjustment Administration. Such agreement shall provide that (1) in the event the amount of deduction for materials exceeds the amount of the payment with respect to the farm the amount of such difference shall be paid by the producer to the Secretary; (2) if the producer uses the materials in a manner which is not in substantial accord with the purposes for which such materials are furnished, the deduction with respect to the materials misused shall be twice the regular rate of deduction in order to compensate the Government for damages because of such misuse; and (3) the finding of the county committee that

materials have been used in a manner which is not in substantial accord with the purposes for which materials are furnished, and as to the amount of the material so misused, shall be final when approved by the State Committee, subject to the right of appeal.

#### SECTION XIV - GENERAL PROVISIONS RELATING TO PAYMENTS

##### A. Payment Restricted to Effectuation of Purposes of the Program.

1. All or any part of any payment which otherwise would be made to any person under the 1940 program may be withheld or required to be returned: (a) if he has adopted any practice which the Secretary determines tends to defeat any of the purposes of the 1940 or previous agricultural conservation programs; (b) if, by means of any corporation, partnership, estate, trust, or any other device, or in any manner whatsoever, he has offset, or has participated in offsetting, in whole or in part, the performance for which such payment is otherwise authorized; or (c) if for forest land or woodland owned or controlled by him, he has adopted any practice which is found contrary to sound conservation practices.

2. No payments other than payments for pasture improvement and tree planting will be computed for any farm which is not being operated in 1940. Instructions for determining whether a farm is being operated in 1940 will be issued by the State committee with the approval of the Agricultural Adjustment Administration. As a minimum requirement the instructions will provide that a farm will not be considered as operated in 1940 unless:

a. An acreage of land equal to at least 25 percent of the cropland for the farm is devoted to one or more of the following uses:

(1) Seeded to a crop for harvest in 1940.

(2) A crop (other than wild hay) is harvested in 1940.

(3) Devoted in 1940 to seeded legumes or grasses (legumes or grasses seeded in workmanlike manner in 1940, other than those seeded in the fall of 1940, will be counted).

(4) Seeded to small grains to be pastured in 1940 (other than small grains seeded in the fall of 1940.)

b. The State committee finds that normal cropping operations were prevented by conditions beyond the control of the operator, or

c. Upon recommendation of the State committee, the regional director finds that the farm is actually being operated in 1940.



B. Payment Computed and Made Without Regard to Claims.

Any payment or share of payment will be computed and made without regard to questions of title under State law, without deduction of claims for advances (except assignments approved on a form prescribed by the Agricultural Adjustment Administration and indebtedness to the United States, subject to set-off) and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

C. Changes in Leasing and Cropping Agreements, Reduction in Number of Tenants, and Other Devices. If on any farm in 1940 any change of the arrangements which existed on the farm in 1939 is made between the landlord or operator and the tenants and the change would cause a greater proportion of the payments to be made to the landlord or operator under the 1940 program than would have been made to the landlord or operator for performance on the farm under the 1939 program, payments to the landlord or operator under the 1940 program for the farm will not be greater than the amount that would have been paid to the landlord or operator if the arrangements which existed on the farm in 1939 had been continued in 1940, if the county committee certifies that the change is not justified and disapproves it.

If on any farm the number of share tenants in 1940 is less than the average number on the farm during the three years 1937 to 1939, inclusive, and this reduction would increase the payments that otherwise would be made to the landlord or operator, the payments to the landlord or operator will not be greater than the amount that otherwise would be made if the county committee certifies that the reduction is not justified and disapproves it.

If the State committee finds that any person who files an application for payment under the 1940 program has employed any other scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of any payment under any agricultural conservation program to which the person normally would be entitled, any payment which would otherwise be made to him under the 1940 program may be withheld by the Secretary in whole or in part from the person participating in or employing the scheme or device, or the person may be required by the Secretary to refund any payment in whole or in part.

D. Assignments. Any person who may be entitled to any payment in connection with the 1940 program may assign the payment as security for cash loaned or advances made for the purpose of financing the making of a crop in 1940. No assignment will be recognized unless the assignment is made in writing on a form prescribed by the Agricultural Adjustment Administration and in accordance with instructions issued by the Agricultural Adjustment Administration, and unless it is entitled to priority.

E. Excess Cotton Acreage. Any person who knowingly plants cotton on his farm in 1940 in excess of the cotton allotment established for the farm will not be eligible for any payment under



the provisions of the 1940 program. This provision is applicable regardless of the location of the farm on which cotton is planted. Any person having an interest in the cotton crop on a farm on which cotton is planted in 1940 in excess of the cotton allotment for the farm will be presumed to have knowingly planted cotton on his farm in excess of the cotton allotment if notice of the allotment is mailed to him prior to the completion of the planting of cotton on the farm, unless he established the fact that the excess acreage planted to cotton was due to his lack of knowledge of the number of acres in the tract(s) planted to cotton. The notice, if mailed to the operator of the farm will be deemed to be notice to all persons sharing in the production of cotton on the farm in 1940.

#### SECTION XV - APPLICATION FOR PAYMENT

1. Farms for Which Payment Will be Made. A net payment will be computed for any person for a farm only if a Farm Plan for Participation in the 1940 Agricultural Conservation Program, on a farm prescribed by the Agricultural Adjustment Administration is executed for the farm and received by the county committee on or before May 1, 1940.

If for any farm such form is not executed and received by this date, no payment will be made to any person for the farm. However, if for such farm a net deduction is computed for any person, the amount of such deduction shall be deducted from any net payment computed for such person for any other farm in the county.

2. Persons Eligible to File Applications. An application for payment for a farm may be made by any person for whom, under the provisions of Section VIII, a share in the payment on the farm may be computed, and (a) who at the time of harvest is entitled to share in the crops grown on the farm under a lease or operating agreement, or (b) who is owner or operator of such farm and participates thereon in 1940 in carrying out pasture land practices or tree planting practices.

3. Time and Manner of Filing Application and Information Required. Payment will be made only upon application submitted through the county office on or before March 31, 1941. The right is reserved by the Secretary (a) to withhold payment from any person who fails to file any form or furnish any information required for any farm which such person is operating or renting to another person for a share of the crops grown thereon, and (b) to refuse to accept any application for payment if any form or information required is not submitted to the county office within a fixed time. At least two weeks' notice to the public will be given of the expiration of a time limit for filing prescribed forms. Such notice will be given by mailing it to the office of each county committee and making copies available to the press.

4. Application for Other Farms. If a person has the right to receive all or a portion of the crops produced on more than one farm



in Licking County and make application for payment on one of such farms, he must make application for payment on all such farms. Upon request by the State committee any person will file with the committee any information it may request regarding any other farm in the State on which he has the right to receive all or a portion of the crops, or which he rents to another for cash.

#### SECTION XVI - APPEALS

Any person may, within 15 days after notice is forwarded to or available to him, request the county committee in writing to reconsider its recommendation or determination on any of the following matters affecting any farm in which he has an interest as landlord or tenant: (a) Eligibility to file an application for payment; (b) any soil-depleting acreage allotment, normal or actual yield, measurement, or productivity balance value; (c) the division of payment; or (d) any other matter affecting the right to or the amount of his payment for the farm. The county committee will notify such person of its decision in writing within 15 days after receipt of the written request for reconsideration. If such person is dissatisfied with the decision of the county committee he may, within 15 days after such decision is forwarded to or made available to him, appeal in writing to the State committee. The State committee will notify such person of its decision in writing within 30 days after the receipt of the appeal. If such person is dissatisfied with the decision of the State committee, he may, within 15 days after such decision is forwarded to or made available to him, request the Director of the North Central Division to review the decision of the State committee.

Written notice of any decision rendered under this section by the county or State committee will also be issued to each person known to it who, as landlord or tenant, having an interest in the operation of the farm, may be adversely affected by such decision. Only a person who shows that he is adversely affected by the outcome of any request for reconsideration or appeal may appeal the matter further, but any person who, as landlord or tenant, having an interest in the operation of the farm, would be affected by the decision to be made on any reconsideration by the county committee or subsequent appeal will be given a full and fair hearing if he appears when the hearing thereon is held.

#### SECTION XVII - BULLETINS, INSTRUCTIONS AND FORMS.

The Agricultural Adjustment Administration is hereby authorized to make such determinations and to prepare and issue such bulletins,

instructions, and forms, as may be required pursuant to the provisions hereof in administering the 1940 Licking County program.

(SEAL)

DONE at Washington, D. C., this  
22d day of March, 1940.  
Witness my hand and seal of the  
Department of Agriculture.

/s/ H. A. WALLACE  
Secretary of Agriculture.



